

JOSEPH A. JACHIMCZYK, M.D., J.D.

FORENSIC PATHOLOGIST

ATTORNEY AT LAW

CHIEF MEDICAL EXAMINER



228-8311

EXT. 671 (DAY)

EXT. 212 (NIGHT)

OFFICE OF THE MEDICAL EXAMINER
OF HARRIS COUNTY

HARRIS COUNTY COURT HOUSE
HOUSTON, TEXAS 77002

AUTOPSY REPORT

CASE 73 - 3377

August 15, 1973

PATHOLOGICAL DIAGNOSIS ON THE BODY

OF

Homer Luis Garcia
5474 Darnell Street
Houston, Texas

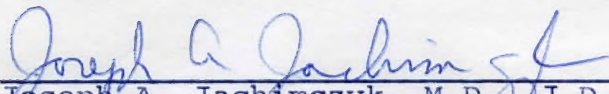
Gunshot wounds (3) of head and chest.

OPINION

It is our opinion that the decedent, Homer Luis Garcia, came to his death as a result of gunshot wounds (3) of head and chest, homicide.

It is our further opinion that his death occurred on or about July 18, 1973.

COMMENT: Mr. Luis Garcia was notified by telephone by Dr. Joseph A. Jachimczyk, on August 28, 1973.



Joseph A. Jachimczyk, M.D., J.D.
Chief Medical Examiner

POSTMORTEM EXAMINATION ON THE BODY OF

Homer Luis Garcia
5474 Darnell Street
Houston, Texas

HISTORY: This unidentified white male body was found at approximately the same time that three other bodies were uncovered during the evening of August 9, 1973, near Lake Sam Rayburn in San Augustine County, Texas. One was identified as William Ray Lawrence. His body was not sent to the Harris County Morgue. The remaining three were sent to this morgue. (73-3376, 73-3377 and 73-3378). The three bodies arrived at the Harris County Morgue at 1:00 p.m. on August 11, 1973.

AUTOPSY: The autopsy was performed by Chief Medical Examiner Joseph A. Jachimczyk, M.D., assisted by Assistant Medical Examiners Ethel E. Erickson, M.D., and G. Sheldon Green, M.D., and assisted by Dr. Paul G. Stimson, beginning at 9:45 a.m. on August 15, 1973, in the Harris County Morgue.

SPECIMEN: These were the remains of a young white male measuring 70 inches in length and weighing approximately 100 pounds. The body was covered with a white embalmer's preservative powder. The head was covered with dark brown hair, measuring up to 8 inches in length. There was considerable decomposition of the tissues over the head and face. The mouth was wide open. On the left side of the scalp, there were two gunshot entrance wounds. One was located at the level of the middle tragus of the left external ear, 1-1/8 inches medial thereto. This measured .22 inches in diameter. There was another gunshot entrance wound at the level of the superior tip of the left external ear, but 3 inches superior thereto. This wound was also .22 inches in diameter. There was a fairly deep ligature groove in the upper neck. There was a Y-shaped incision over the anterior trunk. There was brown discoloration and depression around the right wrist. The depression was most conspicuous on the dorsal surface. X-rays disclosed a small caliber bullet in the left chest area, approximately in the region of ribs 4 and 5. In the left chest at a point 3 inches below the left anterior axillary line, there was a gunshot wound of entrance, measuring .22 inches in diameter. There was hemorrhagic discoloration into the pectoralis musculature in the V portion of the previously made Y-shaped incision. The back was grossly intact. In the left back at a point 13-1/2 inches below the foramen magnum and 3-1/2 inches to the left of the mid line, just beneath the skin, there was a well shaped .22 caliber bullet recovered, initialed with a "J" and placed in a specimen container for safekeeping. The anal sphincter proper was intact, but the anal orifice was gaping widely. Smears from the anal orifice were negative for spermatozoa. Surrounding the gunshot entrance wound, in an

area in the left upper chest, there was purple-black discoloration, measuring 9 inches from head to toe dimension and 6 inches from left to right dimension. When this flap was reflected laterally, there was hemorrhage into the pectoralis musculature. Both the thoracic and abdominal viscera were still in situ, except where sections were taken and wherever there was a heavy amount of lime. The residual viscera were eviscerated. The appendix was long, thin and stringy, and attached to the tip of the cecum. The abdominal viscera were in an advanced state of decomposition.

HEART: The remaining portion of the heart weighed 90 grams. Except for the decomposition, there were no cardiac abnormalities.

LUNGS: The right lung weighed 130 grams. It was mostly collapsed and decomposing. The left lung weighed 150 grams. It, too, was mostly collapsed and decomposing, but it did not have the firm, relatively smooth, pleural surface that the right lung had. On section into the left lung, there were many areas of dark purple discoloration.

LIVER: The residual liver weighed 440 grams. On section, the cut surfaces were soft and honeycombed, and green-brown. The gallbladder was collapsed and empty.

Pancreas and Adrenals: The pancreas and adrenals were mostly autolyzed.

SPLEEN: The spleen weighed 30 grams. The capsule was wrinkled. On section, the cut surfaces revealed a soft, honeycombed, purple-brown appearance.

GENITOURINARY TRACT: The kidneys together weighed 150 grams. Except for the decomposition, there were no abnormalities.

GASTROINTESTINAL TRACT: The stomach was empty. The intestines were decomposing.

NECK ORGANS: The V-flap was reflected cephalad. There was hemorrhage into the strap muscles of the lower neck. Except for the state of decomposition, there were no other abnormalities. The larynx, pharynx and hyoid bone were intact. The tongue was intact.

HEAD: The scalp was reflected in the usual coronal fashion. There were two gunshot entrance holes; one in the left temporal bone and the other in the left parietal bone. Each of these was round and had beveled edges inwardly, and measured .25 inches in diameter.

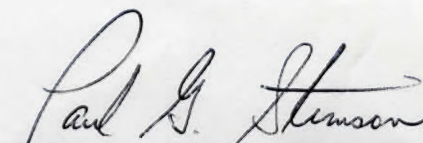
The residual brain tissue weighed 650 grams. It was mushy gray-tan. Two markedly misshapen .22 caliber bullets were recovered in the mushy substance, initialed with a "J" at the base and placed in a specimen container for safekeeping. Each bullet had a mushroomed appearance.

PATH OF THE MISSILE: The bullet entered the chest at a point 3 inches below the left axilla along the left anterior axillary line, entered the 4th left interspace through the left lung, through the left leaf of the diaphragm, the 9th left interspace, and was recovered in the back at a point 13-1/2 inches below the foramen magnum and 3-1/2 inches to the left of the mid line, thus traveling from front to back, but from head to toe at an angle of approximately 15 degrees, and just slightly from left to right at an angle of approximately 10 degrees.

DENTAL EXAMINATION

Universal System: The upper right and left third molars are not present. The lower right and left third molars are in bony crypts. There is distal buccal caries on the upper right second molar, tooth #2. There is a mesial occlusal amalgam in the upper right first molar, tooth #3. There is mesial occlusal amalgam and a distal and buccal amalgam on the upper left first molar, tooth 14. There is a buccal pit amalgam on the lower left second molar, as well as an occlusal lingual amalgam in the same tooth; this is tooth 18. In the lower left first molar, there is mesial occlusal amalgam and a buccal pit amalgam; this is tooth 19. There is a mesial occlusal amalgam and a buccal amalgam in the lower right first molar. This is tooth 30. There is an occlusal amalgam in the lower right second molar, and a buccal amalgam on tooth 31. Number 5 is rotated to the mesio-buccal. Number 6 is submerged. There is a diastema between tooth 10 and 11. Number 10 has mesial labial rotation with overlap of 9. Number 11 is submerged. Number 12 is in mesial buccal rotation. Number 13 is in mesial lingual rotation. Number 21 and 22 are in mesial buccal rotation. Number 23 is in lingual version and blocked between tooth 22 and 24. Number 24 is in mesial labial rotation. Number 25 is in labial version, blocked out by tooth 24 and 26. Number 26 is in lingual version, blocked out by tooth 25 and 27. Tooth 27 is in mesial labial rotation and tooth 28 is in mesial labial rotation. The jaw relationship is end to end with a slight Class III. The teeth are extremely crowded.

Our records were compared with those of Louis A. Sanchez, D.M.D., of 5212 Cedar Street, Bellaire, Texas, 77401. I received a call from Dr. Sanchez at 1:15 p.m. on August 13, 1973, about Homer Garcia. Dr. Sanchez stated that he did three or four fillings, only, and he only charted that work that he did. However, prior to beginning treatment, he had taken some bite wing X-rays dated October 19, 1972. They showed similar amalgam fillings in tooth #19 and #14, as well as #3 and #30. He had subsequently done fillings in #18 and #31, which were both occlusal and buccal fillings. Upon comparison, there were 12 points of consistency; one in #3, two in #14, two in #18, two in #19, two in #30, and two in #31. The ante and postmortem X-rays could be superimposed on #3, #14, #19 and #30, and fitted exactly. Therefore, based upon a reasonable medical probability, it is our opinion that these are the remains of Homer Garcia.



Paul G. Stimson, D. D. S., M.S.

Autopsy

INVESTIGATOR'S REPORT

Investigator: H. C. Gregory

~~View~~

Case No. 73-3377

Decedent: Homer Luis Garcia Race W Sex M Age 15

Address: 5474 Darnell Street, Houston, Texas

Death: FOUND August 10, 1973 Approx. Time 7:00 A.M.
P.M.

Place of Death: 200 Yards Off F.M. 3185, San Augustine County, Texas

Place of Inquest: 200 Yards Off F.M. 3185, San Augustine County, Texas

Date and Time of Inquest: _____ A.M.
P.M.

Location, Position, and Surroundings of Body:

The decedent was found face down in a grave.

Clothing: The decedent was nude.

Information: The St. Augustine County Sheriff's Department, Deputy Sheriff Richard Davis furnished the following information on August 11, 1973, at the Harris County Morgue.

The decedent identified as "Unknown #21" was found about the above time on the above date when Wayne Henley, (suspect in this case), led St. Augustine County Sheriff John Hoyt to a gravesite located about 250 yards south of the gravesite of William Ray Lawrence, near the above location. Henley identified the gravesite by several crossed sticks on top of the ground. Beneath the sticks was a thin layer of earth, beneath which was a substance similar to lime. Beneath the lime substance was a masonite board covering the hole in which a plastic covering was laid. The decedent had been rolled into the plastic covering and taped with silver colored air conditioning tape. The plastic covering was secured around the decedent's face and head by a plastic binder which encircled the decedent's neck outside of the plastic covering. The decedent's wrists were taped behind his back with the silver colored air conditioning tape. His ankles were not bound and he was not gagged. No lime substance was within the plastic covering. The plastic binder which secured the plastic covering around the decedent's head was tagged at the Harris County Morgue under "Unknown #21, ML 73-3377." Scene photographs were made by Texas Department of Public Safety, Austin, Texas.

An autopsy was performed at the Wyman Roberts Funeral Home, St. Augustine, Texas, on August 10, 1973, by Dr. Jack Pruitt of Lufkin, Texas. The diagnosis was strangulation.

Deputy Davis made the statement that Henley stated that one of the "Unknown #20, #21 or #22 could be a boy named Garcia".

Property:

H. C. Gregory
H. C. Gregory

There was no property involved.

Transferred to Morgue by:

Funeral Home Conducting Service: Pat H. Foley & Co., Houston, Texas

Case No.	Name	To	Date Out
73-3377	Nomer Garcia	Will Gray Ref. Atty. 224-5436 Sheryl	

Pls call when
ready

Airt
D.C.

RECEIVED BY: Will Gray
DATE: 5-1-74 TIME: 10:30 A.M.

Rec: 11:20 am
4-15-74
gm

73-3377

Case No.	Name	To	Date Out
73-2377	Homer L. Garcia	Don Lambright	4-26-74

Air
D.C.

Rec: 4-26-74

73-2377

1. PLACE OF DEATH a. COUNTY San Augustine		2. USUAL RESIDENCE (Where deceased lived. If institution: residence before admission) a. STATE Texas b. COUNTY Harris	
b. CITY OR TOWN (If outside city limits, give precinct no.) Precinct #3		c. LENGTH OF STAY in 1 b. Unknown	
d. NAME OF (If not in hospital, give street address) HOSPITAL OR INSTITUTION 200 yds. off F.M. 3185		d. STREET ADDRESS (If rural, give location) 5474 Darnell	
e. IS PLACE OF DEATH INSIDE CITY LIMITS? YES <input type="checkbox"/> NO <input type="checkbox"/>		e. IS RESIDENCE INSIDE CITY LIMITS? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	
3. NAME OF DECEASED (Type or print) (a) First HOMER (b) Middle LUIS (c) Last GARCIA		4. DATE OF DEATH Found August 9, 1973	
5. SEX Male	6. COLOR OR RACE White	7. Married <input type="checkbox"/> Never Married <input checked="" type="checkbox"/> Widowed <input type="checkbox"/> Divorced <input type="checkbox"/>	8. DATE OF BIRTH February 10, 1958
9. AGE (In years last birthday) 15		IF UNDER 1 YEAR IF UNDER 24 HRS. Months Days Hours Minutes	
10a. USUAL OCCUPATION (Give kind of work done during most of working life, even if retired) Student		10b. KIND OF BUSINESS OR INDUSTRY School	
11. BIRTHPLACE (State or foreign country) Texas		12. CITIZEN OF WHAT COUNTRY? U.S.A.	
13. FATHER'S NAME Luis Garcia		14. MOTHER'S MAIDEN NAME Dora Castaneda	
15. WAS DECEASED EVER IN U.S. ARMED FORCES? (Yes, no, or unknown) No (If yes, give war or dates of service)		16. SOCIAL SECURITY NO. 453-11-6296	
17. INFORMANT Luis Garcia (by phone)		INTERVAL BETWEEN ONSET AND DEATH	
18. CAUSE OF DEATH [Enter only one cause per line for (a), (b), and (c).] PART I. DEATH WAS CAUSED BY: IMMEDIATE CAUSE (a) Gunshot wounds (3) of head and chest. Conditions, if any, which gave rise to above cause (a), stating the underlying cause last. } DUE TO (b) DUE TO (c) PART II. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RELATED TO THE TERMINAL DISEASE CONDITION GIVEN IN PART I(a)			
20a. ACCIDENT <input type="checkbox"/> SUICIDE <input type="checkbox"/> HOMICIDE <input checked="" type="checkbox"/>		20b. DESCRIBE HOW INJURY OCCURRED. (Enter nature of injury in Part I or Part II of Item 18.) Shot.	
20c. TIME OF INJURY Hour a.m. p.m. 8 9 73		20d. INJURY OCCURRED WHILE AT WORK <input type="checkbox"/> NOT WHILE AT WORK <input checked="" type="checkbox"/>	
20e. PLACE OF INJURY (In or about home, farm, factory, street, office building, etc.) San Augustine County		20f. CITY, TOWN, OR LOCATION Precinct #3 San Augustine Texas	
21. I hereby certify that I attended the deceased from Found 19 8-9-73 to Found 19 8-9-73 and last saw the deceased alive on Found 19 8-9-73 m. on the date stated above, and to the best of my knowledge, from the causes stated.			
22a. SIGNATURE Joseph A. Jachimczyk, M.D.		22b. ADDRESS 209 Courthouse Houston, Texas	
22c. DATE SIGNED 9-26-73		23a. BURIAL, CREMATION, REMOVAL (Specify) Removal-Burial	
23b. DATE August 30, 1973		23c. NAME OF CEMETERY OR CREMATORY Woodlawn Garden of Memories	
23d. LOCATION (City, town, or county) Houston		23e. FUNERAL DIRECTOR'S SIGNATURE PAT H. POLEY & CO. - David L. Pree	
23f. REGISTRAR'S SIGNATURE		23g. REGISTRAR'S SIGNATURE	
25a. REGISTRAR'S FILE NO.		25b. DATE REC'D BY LOCAL REGISTRAR	
25c. REGISTRAR'S SIGNATURE		25d. REGISTRAR'S SIGNATURE	

TEXAS DEPARTMENT OF HEALTH — BUREAU OF VITAL STATISTICS

MEDICAL CERTIFICATION

73-3377

Harris County Medical Examiner
c/o Ben Taub General Hospital
1502 Outer Belt Drive
Houston, Texas

Attn: Dr. Jos. Jachimczyk

Please use this as your authority to release the remains of

HOMER GARCIA

to the firm of PAT H. FOLEY & CO., Funeral Directors, after
completion of the examination.

Lewis Jones 8/29/73
Signed

Father
Relation to Deceased

STATE OF TEXAS *

COUNTY OF HARRIS *

This instrument was sworn to and subscribed before me this
29th ~~XXIX~~ Day of the Month of August
in the year of 1973 A.D.

W.B. Heyman
Notary Public in and for the
State of Texas, County of Harris

Dr. Jachimczyk

July 8, 1974

73-3334; 73-3335;
73-3377; 73-3409;
73-3412

Marty Ray Jones; Charles Cobble;
Homer Luis Garcia; Frank Anthony
Aguirre; Johnny Ray Delone

Elmer Wayne Henley

175th District

74-CR-424

Bexar County Court
House

San Antonio, Texas

There ARE Pictures

*Dr. Jachimczyk testified
7-10-74 through 7-11-74*